

<sup>1</sup> Those named in the complaint filed with the Board of Professional Responsibility have not been identified as defendants in the instant action.

stopped by Trooper Loftus for a traffic violation on the interstate. From this traffic stop, the plaintiffs allege an unreasonable search and seizure, a deprivation of due process, a false arrest, and negligent supervision.

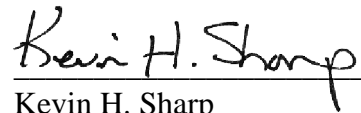
*Pro se* pleadings are subject to liberal construction. Haines v. Kerner, 404 U.S. 519 (1972). Nevertheless, liberal construction does not require the Court to create a claim which the plaintiffs have not spelled out in their complaint. Wells v. Brown, 891 F.2d 591, 594 (6<sup>th</sup> Cir. 1989). A plaintiff is required to plead more than bare legal conclusions. Lillard v. Shelby County Board of Education, 76 F.3d 716, 726 (6<sup>th</sup> Cir. 1996). Thus, a *pro se* litigant must meet the basic pleading requirements for a complaint in order to state a cognizable claim for relief. Wells, *supra*. The plaintiffs must identify the right or privilege that was violated and the role that each defendant played in the alleged violation. Dunn v. Tennessee, 697 F.2d 121, 128 (6<sup>th</sup> Cir. 1982).

In this case, the plaintiffs have neglected to provide any factual background to describe the traffic stop. The where and when of the traffic stop is not found in the complaint or its attachments. The plaintiffs have not identified whether the younger Parker was arrested and, if so, on what charge. Thus, probable cause for an arrest is unclear. Nor have the plaintiffs stated whether the search of plaintiff's vehicle was consensual. *See* Thacker v. City of Columbus, 328 F.3d 244 (6<sup>th</sup> Cir. 2003)(to state a claim for false arrest, the plaintiffs must demonstrate, at a minimum, that there was no probable cause to justify the arrest).

In addition, no claims against the City of Cookeville and the Cookeville Police Department can be found in either the complaint or its attachments. There are no factual allegations set forth that would support a claim of negligent training or supervision. Nor are there factual allegations from which it could be inferred that the father, Lester Parker, III, is in any way entitled to relief for the alleged violation of his son's constitutional rights.

Consequently, the plaintiffs have failed to state a claim upon which relief can be granted. Because the plaintiffs are now proceeding in forma pauperis, the Court is obliged to *sua sponte* dismiss the instant action. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.

A handwritten signature in black ink, reading "Kevin H. Sharp". The signature is written in a cursive, slightly stylized font. The "K" is large and loops around the "e". The "H" is formed by two vertical strokes. The "S" is a continuous loop. The "h" is a simple vertical stroke. The "a" is a small loop. The "r" is a vertical stroke with a small hook. The "p" is a vertical stroke with a small loop at the bottom. The signature is written above a horizontal line.

Kevin H. Sharp  
United States District Judge